



**Virginia
Regulatory
Town Hall**

Exempt Agency Proposed Regulation Agency Background Document

Agency Name:	State Water Control Board
VAC Chapter Number:	9 VAC 25-750-10 et seq.
Regulation Title:	General VPDES Permit Regulation For Discharges of Storm Water From Small Municipal Separate Storm Sewer Systems
Action Title:	Adopt New Regulation
Date:	April 17, 2002

Where an agency or regulation is exempt in part or in whole from the requirements of the Administrative Process Act (§ 9-6.14:1 *et seq.* of the *Code of Virginia*), the agency may provide information pertaining to the action to be included on the Regulatory Town Hall. The agency must still comply the requirements of the Virginia Register Act (§ 9-6.18 *et seq.* of the *Code of Virginia*) and file with the Registrar and publish their regulations in a style and format conforming with the *Virginia Register Form, Style and Procedure Manual*. The agency must also comply with Executive Order Fifty-Eight (99) which requires an assessment of the regulation's impact on the institution of the family and family stability.

This agency background document may be used by agencies exempt pursuant to § 9-6.14:4.1(A) at the proposed stage. Please refer to the *Virginia Register Form, Style and Procedure Manual* for more information.

Summary

Please provide a brief summary of the proposed new regulation, amendments to an existing regulation, or the regulation being repealed. There is no need to state each provision or amendment or restate the purpose and intent of the regulation; instead give a summary of the regulatory action and alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The EPA Phase 2 storm water regulations, published in the Federal Register on December 8, 1999, and incorporated into the VPDES Permit Regulation (9 VAC 25-31-10 et seq.) effective September 27, 2000, require small municipal separate storm sewer systems (small MS4's) in urbanized areas to apply for VPDES permit coverage by March 10, 2003. Small MS4's include systems owned or operated by municipalities, federal facilities (such as military bases), state facilities (such as VDOT, prisons, large hospitals, etc.), and universities. The term does not include separate storm sewers in very discrete areas, such as individual buildings.

This general permit regulation establishes standard language for control of storm water discharges from small MS4's through the development, implementation and enforcement of a Storm Water Management Program (SWMP) to reduce the impacts of the storm water discharges on the receiving streams to the maximum extent practicable. The SWMP will require that the small MS4 identify best management practices (BMP's) to control storm water discharges, and measurable goals for each identified BMP for each of the following six minimum control measures: (1) public education and outreach on storm water impacts, (2) public involvement/ participation, (3) illicit discharge detection and elimination, (4) construction site storm water runoff control, (5) post-construction storm water management in new development and redevelopment, and (6) pollution prevention/good housekeeping for municipal operations.

The general permit regulation requires that the permittee evaluate program compliance, the appropriateness of the identified BMP's, and progress towards achieving the identified measurable goals. The permit also requires the permittee to submit annual reports to DEQ by the first, second and fourth anniversaries of the date of coverage under the permit.

Additional Information

Please indicate that the text of the proposed regulation, the reporting forms the agency intends to incorporate or use in administering the proposed regulation, and a copy of any documents to be incorporated by reference are attached. Please state that the Office of the Attorney General has certified that the agency has the statutory authority to promulgate the proposed regulation and that it comports with applicable state and/or federal law.

The text of the proposed regulation and the Registration Statement the Agency proposes to use in administering the proposed regulation are attached. The Office of the Attorney General has certified that the Agency has the authority to promulgated the proposed regulation and it comports with applicable state and/or federal law.

Family Impact Statement

Please provide an analysis of the proposed regulatory action that assesses the potential impact on the institution of the family and family stability including the extent to which the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.

The proposed regulation will have no direct impact on the institution of the family or family stability.